

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

R.L. Mahany et al.

Serial No.: 10/651,188

Filed: August 28, 2003

For: TRANSACTION CONTROL SYSTEM
INCLUDING PORTABLE DATA
TERMINAL AND MOBILE
CUSTOMER SERVICE STATION

Examiner: Dang T. Ton

Group Art Unit: 2666

Confirmation No.: 8344

**LITIGATION STATEMENT PURSUANT TO MPEP § 2001.06(C) and INFORMATION
DISCLOSURE STATEMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The owner of record of the present application, Broadcom Corporation, is currently involved in several disputes with Qualcomm, Inc., including the following pending lawsuit and investigation:

- In the Matter of Certain Baseband Processor Chips and Chipsets, Transmitter and Receiver (Radio) Chips, Power Control Chips, and Products Containing Same, Including Cellular Telephone Handsets, U.S. International Trade Commission Case. No. 377-TA-543.
- Broadcom Corp. v. Qualcomm, Inc., Civil Action No. 05-468 in the Central District of California

Pursuant to MPEP 2001.06(c), the Applicants would like to bring to the attention of the U.S. Patent and Trademark Office that the subject matter currently being claimed in the present

application may be related to at least one of the patents currently asserted by Broadcom in the above-mentioned lawsuit and investigation. For the Office's benefit, Applicants enclose as Exhibit A a list of the patents currently asserted by Broadcom in the above-mentioned pending lawsuit and investigation.

The Applicants have also attached with this electronic submission a completed PTO form PTO/SB/08A which has six (6) pages. Copies of each printed reference listed in the PTO/SB/08A form are attached in this electronic submission and a second electronic submission (due to the number of references permitted to be submitted per electronic submission). Applicants, however, have not submitted U.S. Patents or other references previously provided to or by the PTO in this application. Fifty-three (53) references are attached in two electronic submissions.

The references being submitted have been either cited, produced or relied upon by Qualcomm thus far during the above-mentioned lawsuit and/or investigation. This submission is in no way intended as an admission that the submitted references constitute prior art under any subsection of 35 U.S.C. §102 or §103. Applicant expressly retains the right to argue that any of the cited references are not indeed prior art or to take any actions necessary to remove any of the cited references from the available prior art.

The Examiner is requested to initial both copies of the enclosed PTO/SB/08A and return one copy to the applicants to indicate consideration of the enclosed references.

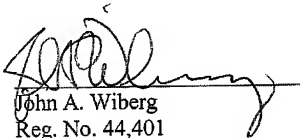
A fee in the amount of \$180 is believed to be due because:

- * The applicant(s) believe(s) that this statement and enclosures are being filed after the first Office action on the merits has been mailed by the PTO. The basis of this belief is that an Office action on the merits appears to have been received by the undersigned to date.

The Commissioner is hereby authorized to charge any fees which are presently required, or credit any overpayment, to Deposit Account No. 13-0017.

Respectfully submitted,

Date: June 1, 2006



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EXHIBIT A

**Patents Currently Asserted by Broadcom in Civil Action No. 05-468 (C.D. Cal) and U.S.
International Trade Commission Case. No. 377-TA-543**

5,682,379
6,359,872
6,374,311
6,583,675
6,714,983